BYLAW # 111

A Bylaw to regulate, govern and control boxing bouts, contests and exhibitions, wrestling bouts, contests and exhibitions, full-contact karate bouts, contests and exhibitions, and training quarters of person in training for boxing, wrestling or full-contact karate situate on the Sawridge Indian Reserve.

The Band Council of the Sawridge Indian Band, at a duly convened meeting held the 5th day of May, 1995 at the Sawridge Band office enacts as follows:

1.(a) In this Bylaw the following terms are defined:

"Band" means the Sawridge Indian Band;

"Council" means the Sawridge Band Council; and

"Reserve" means the Sawridge Indian Reserve.

(b) For the purpose of regulating, governing and controlling boxing, wrestling, and full-contact karate (hereinafter referred to as "the regulated sports") bouts and contests and training quarters for persons in training for boxing, wrestling and full-contact karate within the Reserve, there is hereby created a Commission consisting of THREE persons to be appointed by resolution of the Band Council.

(c) Members of the Commission shall hold office for a period of two years.

(d) No person while a member of the said Commission shall be connected with any exhibition or contest held within the jurisdiction of the Commission by officiating therein or by acting as matchmaker, promoter, second, manager or in any other capacity where the possibility may arise of a conflict of interest between such Commission member and the Commission as it performs its duties.

2. The said Commission shall be called "The Sawridge Boxing and Wrestling Commission" and shall within the Reserve have full power and authority to supervise, regulate, govern and control all bouts and contests held in connection with the regulated sports, and training quarters for person in training for the regulated sports.

3. Any member of the Commission may resign therefrom at any time upon written notice to the Chairman and Secretary-Treasurer of the Commission, and any member of the said Commission may be removed for cause by the Band Council any time. Any vacancy created by reason of the resignation or removal as aforesaid and any vacancy arising by reason of the death of any member of the Commission, shall, subject to the approval of said Council, be filled by the Commission for the remainder of the term of the person who has ceased to be a member of the Commission for any of the reasons aforesaid.

4.(a) It shall be unlawful for any person or persons, association or club, to conduct, or for any person or persons to take part in or be present at (either as promoter, principal, contestant, agent, second, or attendant), whether an admission fee to such bout or contest is charged or not, unless a permit to hold such a bout or contest has first been issued by the Commission, and unless such bout or contest is held under the supervision and control of the said Commission.

(b) Commission may charge a fee for the issuance of permits under this bylaw and the amount of such fee shall be payable before a permit is issued. The amount of the fee shall be established by an annual resolution of the Commission.

(c) Subject to this bylaw and any other relevant legislation, the commission may establish rules and regulations in respect of, but not limited to, its procedures, the holding of bouts and contests, and the regulation of the conduct of promoters, principals, contestants, agents, seconds, attendants, managers and referees, including the discipline thereof;

(d) The rules and regulations may include all or any portion of any of the rules, regulations and safety codes of the Canadian Amateur Wrestling Association, World Karate Association, Canadian Amateur Boxing Association and Canadian Professional Boxing Federation, or any successor organization;

(e) No person shall carry on within the Reserve the business, calling, trade or occupation of manager, promoter, contestant, referee, matchmaker, second, timekeeper or judge unless he has first obtained from the Commission a licence to do so in the form prescribed by the Commission and has paid to the Commission such licence fee as the Commission may annually determine;

(f) Subject to Section 20 hereof, the Commission may from time to time appoint one or more of its members to carry out any of its decisions and to enforce any of its rules and regulations hereunder.

6.(a) The Commission may issue permits unconditionally, conditionally or may refuse to issue a permit;

(b) The Commission shall have power and authority to cancel a permit issued by them if they deem it advisable so to do.

7.(a) All bouts and contests shall be under the supervision and control of the Commission, and they or any of them shall have the power to stop any bout or contest if either contestant is in their opinion unfit to continue or is not properly matched, and shall also have power to stop any bout or contest if either contestant is in their opinion unfit to continue or is not properly matched, and shall also have power to stop any bout or contest for any misconduct of any promoter or contestant or for disorderly conduct on the part of the audience.

(b) The Commission shall arrange to provide such medical, police, referees, judges, officials or supervisory personnel as the commission deems proper, to be in attendance at any bout, contest or exhibition, or at any training quarters, in order to ensure that such bout, contest or exhibition or training quarters shall be conducted in a safe and orderly manner and may require the promoter or person in charge of any bout, contest, exhibition or training quarters to pay such amount as will cover the cost of providing medical, police, referees, judges, officials or supervisory personnel and may withhold the issue of any permit until the person concerned has made arrangements satisfactory to the Commission to pay such amount, provided that in case a promoter or person in charge considers the amount charged by the Commission, is, under the particular circumstances, unfair or excessive, the promoter or person in charge may appeal to the Council within 14 days from the date the amount objected to was charged by the Commission and in case of an appeal within the time limited, the decision of the Council shall be final and binding.

8. No bout involving the regulated sports shall be commenced, notwithstanding that a permit to hold same has been issued by the Commission, unless and until the Medical Officer for the Commission (who shall be a duly qualified medical practitioner for the Province of Alberta) has examined the contestants immediately prior to such bout or contest and has pronounced each of such contestants to be physically fit to engage therein.

9. All members of the Commission shall at all times have free access to all boxing, wrestling or full-contact karate contests and for the purpose of proving their right of access, they may adopt a badge having thereon the words "Boxing and Wrestling Commission".

10. Neither the said Commission, nor any member thereof, shall have power or authority to pledge the credit of the Band, nor shall the Band be liable for any debts of the Commission, nor shall the Band be under any obligation or liability to pay damages for any act or omission of the Commission or of any member thereof. All permits issued by the Commission shall be subject to the said conditions and shall have printed on the face thereof a copy of this paragraph of the Bylaw.

11. All monies received as a result of or in consequence of the holding of any bout or contest involving the regulated sports, whether by way of the admission fee or otherwise, shall be held under the control of the Commission and such monies shall not be dealt with or disposed of by the person holding the same except under the direction of the Commission in writing.

12. Before any permit to hold a bout or contest within the Reserve is issued by the Commission in respect of any of the regulated sports, the promoter or promoters and each of the contestants shall deposit with the Commission such sum of money as the Commission may determine as a guarantee that such promoter or promoters and contestants shall carry out such bout or contest, and shall observe all the rules and regulations of the Commission as to the conduct of such bouts or contests and in case such bout or contest is not carried out or in case any promoter or contestant is guilty of misconduct or of disobeying any of said rules and regulations, then the sum of money deposited as aforesaid by the promoter or contestant who is guilty of misconduct or of failure to carry out such bout or contest shall at the absolute discretion of the Commission be forfeited to the Commission.

13. The Commission shall hold regular meetings for the transaction of its business at such times and places as it may fix by resolution and any special meetings that may be held by the Commission shall be called in the manner the Commission shall deem most practicable.

14. A majority of the members of the Commission shall constitute a quorum for the transaction of the business of the Commission.

15. All meetings of the Commission shall be presided over by the Chairman, who shall be appointed for the year at the first regular meeting of the Commission held after the appointment of the members thereof by the Council, and in the event of such Chairman being absent from any meeting, the members present shall elect a Chairman for the meeting.

16. Minutes of all meetings shall be kept by the Commission, and also an accurate record of permits issued and of every bout or contest involving the regulated sports under the control of the Commission, giving the names and descriptions of the contestants, the name of the referee, and of the medical practitioner in attendance, the number of rounds and any other information the Commission may desire kept as a record.

17. The Commission shall also cause to be kept accurate accounts of all monies received and expended by the Commission, which accounts shall be open for the inspection by any official of the band appointed for that purpose by the Council or Commissioners of the Band, and such minutes, records and accounts shall be produced to the Council upon the request of any member of such Council.

18. For the purpose of the Commission the end of the financial year of the Commission shall be March 31st of each and every year. A copy of the annual financial statement shall be forwarded to the Council.

19. No boxing contest or bout with the Reserve shall exceed fifteen rounds of three minutes each with an interval of at least one minute between each round.

20.(a) When a breach of any of the provisions of the rules and regulations by or the misconduct of, any person licensed pursuant to this Bylaw and the rules and regulations comes or is brought to the attention of the Commission or any member thereof, the Commission may hold a hearing into the allegations made against such person.

(b) At least one week prior to the hearing, a notice shall be served on the person against whom the allegation is brought, personally or by registered mail,

(i) containing reasonable particulars of the allegations; and

(ii) specifying the time and place of the hearing.

(c) Testimony may be adduced before the Commission or at the hearing in any manner the Commission considers proper.

(d) If, upon the hearing having been held, the Commission finds that the person has breached the rules and regulations, the Commission may

(i) suspend the person for a stated period of time not exceeding one year;

(ii) fine the person for a stated amount not exceeding $1,000.00, and suspend him until the fine is paid;

(iii) revoke his licence;

(iv) reprimand the person; or

(v) a combination of (i) and (ii) above.

(e) If the person against whom the allegation is made does not attend the hearing, the Commission may, upon being satisfied that the Notice of hearing was served upon the individual in accordance herewith, proceed with the hearing in his absence, without further notice to the individual.

(f) The Commission may take disciplinary proceedings against any person who was licensed by the Commission at the time of the alleged offence, whether that person is licensed at the time of the hearing or not.

(g) The Commission may suspend the person against whom the allegations are made prior to the hearing until the matter has been determined in accordance with the provisions hereof.

(h) The Commission may from time to time appoint two of its members to a Discipline Committee which shall investigate, hear evidence and submissions and make recommendations in a report to the Commission in respect of any breach of the rules and regulations of the Commission or any act of misconduct related to activities controlled by the Commission.

21. The appointment of any and all officials taking part in any bout or contest involving the regulated sports shall be subject to the approval and under the control of the Commission.

22. Any participant who enters into a bout or contest involving the regulated sports with a participant who has been suspended, or any participant who takes part in a bout or contest involving the regulated sports which is controlled or undertaken by any promoter who has been suspended by the Commission shall be deemed to be suspended by the Commission.

23. The Commission shall also have supervision and control of all wrestling contests held on the Reserve and all the provisions of this Bylaw shall mutatis mutandis apply to all wrestling contests held or proposed to be held on the Reserve; but the duration, methods and conduct of wrestling contests shall be governed by the Standard Wrestling Rules.

24. The Commission is hereby authorized to regulate, govern and control all places or premises now established or used or which may hereafter be established or used as training quarters for persons in training for the regu lated sports, and all the provisions of this Bylaw which by their nature are applicable shall apply mutatis mutandis to such training quarters, and the said Commission is hereby further authorized to issue such reasonable regulations (not being contrary to any dominion laws or regulations nor the provisions of this or any other bylaw of the Band), as may be requisite and necessary for such purposes, including the power to provide in such regulations that no premises or place with the Reserve shall be used as training quarters for persons in training for the regulated sports without first obtaining from the Commission a written permit so to do.

25. Upon the written request of another Band Council or Municipality duly authorized by a bylaw, resolution or motion of its Council, the Commission may agree, as the agent of the other Band or Municipality, to regulate, govern and control a bout or contest involving boxing, wrestling, or full-contact karate on that Band's Reserve or in that municipality.

26. This Bylaw shall come into force and effect on the day of the passing thereof.

Walter F Owen